

ShipCom LLC  
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**January 31, 2005**

Federal Communications Commission  
445 12<sup>th</sup> Street, S.W.  
Washington, D.C. 20554

**Comments Re: WT Docket No. 04-344; RM-10821; FCC 04-207 (Proposed Rule on Maritime Communications, as Published in the Federal Register on November 15, 2004)**

## **COMMENTS OF SHIPCOM LLC**

### **I. Introduction**

ShipCom, LLC (“ShipCom”), through various predecessors in interest, has provided marine radio public correspondence services since 1947 and, in addition to being licensed for numerous HF frequencies<sup>1</sup>, is also the licensee of eight VHF public coast stations that are each impacted by the Commission’s proposed rule making (“NPRM”).<sup>2</sup> ShipCom is the only domestic provider of both HF and VHF maritime voice and data communications services that support a wide variety of maritime entities including commercial, recreational, Safety-of-Life-at-Sea (“SOLAS”) and Coast Guard vessels. Today, ShipCom’s operations support both voice and data communications using any internationally interoperable VHF marine radio. As a result, ShipCom is well qualified to participate in this proceeding and respectfully encourages the Commission to remedy the harmful interference to maritime VHF radio communications and by equitably accounting for the “taking” of unique internationally interoperable maritime spectrum licensed to ShipCom.

### **II. Interference from Inserting B-side Simplex AIS Operations into the VPC Band**

The NPRM asks if existing VPC operations can “co-exist on a non-interference basis with AIS”. ShipCom believes the answer to that question is no. Subsequent to our initial filing,

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<sup>1</sup> ShipCom is licensed for HF frequencies under call signs WLO, KNN and KLB.

Shipcom began monitoring AIS activity on channel 87B in its licensed area and is very alarmed at the results. Monitoring shows a surprisingly high level of AIS transmissions whose interference is directly affecting ShipCom's use of channel 87. Additionally, ShipCom is highly concerned that its continued use of channel 87 for VHF communications may directly interfere with the safe use of AIS. At the least it will reduce the coverage area of AIS transmissions. ShipCom encourages the Commission to quickly resolve this frequency use conflict in an equitable manner prior to an avoidable incident with AIS.

The NPRM also "tentatively concludes that the ability of MariTel to incorporate forward error correcting (FEC) codes and block interleaving to prevent interference to VPC data transmission undermines MariTel's claim that designating Channels 87B and 88B for AIS will preclude any opportunity for MariTel to take commercial advantage of the VPC spectrum it acquired at auction." The Commission's conclusion by extension applies to ShipCom if in the future; ShipCom decides to launch data services on its licensed channels. The record of this proceeding clearly shows that there is no available technology or more importantly, available equipment, that effectively operates on the same vessel with simplex AIS, while not resulting in a significantly diminished communication capacity. Finally, ShipCom re-iterates its concern for the existing base of marine VHF radios that may be damaged by simplex AIS transmissions.

## **VII. Conclusion**

ShipCom obtained the rights to channel 87 and other VPC spectrum to provide VHF radio communications services. That right has now been encroached by the Commission's actions allowing AIS devices on the same channel. For the foregoing reasons, ShipCom is highly concerned with the Commission's NPRM in so much as it impacts the opportunity to operate that spectrum in an attempt to generate a profit from its investment backed expectations. We trust the Commission will act accordingly in considering the comments and interests of ShipCom and other similarly affected parties.

Respectfully,

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<sup>2</sup> ShipCom is licensed under call sign WRD704 for channel 87 in Mobile, AL. Call signs WRD704, WLO, WRD702, WRD703, WRD705, WRD706, WRD707 and WRD708 provide ShipCom the authority to operate on other maritime public correspondence channels that are also impacted by this proceeding.

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